

Alabama Board of Examiners for Speech-Language Pathology and Audiology



Functional Analysis & Records Disposition Authority

**Presented to the
State Records Commission
October 25, 2006**

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Functional and Organizational Analysis of the Alabama Board of Examiners for Speech-Language Pathology and Audiology

Sources of Information

- Representatives of the Alabama Board of Examiners for Speech-Language Pathology and Audiology
- Code of Alabama 1975 § 34-28A-1 through § 34-28A-44
- Code of Alabama 1975 § 41-20-1 through § 41-20-6 (Sunset Law)
- Code of Alabama 1975 § 41-22-1 through § 41-22-27 (Administrative Procedures Act)
- Alabama Administrative Code Chapters 870-X-1 through 870-X-7
- Alabama Government Manual (2002), p. 540
- Audit Reports (2000-2002)
- Board Publications

Historical Context

The Alabama Board of Examiners for Speech-Language Pathology and Audiology was established in 1975 by the Legislature (Acts 1975, 4th Ex. Session, No. 90). Before the creation of this board, the practice of this profession was not regulated by a state agency.

Agency Organization

The Alabama Board of Examiners for Speech-Language Pathology and Audiology (hereafter referred to as the board) is composed of seven members who are appointed by the governor from names submitted by the Speech and Hearing Association of Alabama. Members must have been either rendering services to the public, teaching, or conducting research in speech-language pathology and/or audiology for at least five years preceding their appointments. Three board members must be speech-language pathologists, three must be audiologists, and one must be a member of the public or an allied professional. Members serve three-year staggered terms, with no person being eligible to serve more than two consecutive terms.

The board elects a chair, a vice chair, and a recording secretary from its membership at its annual organizational meeting in October. Certain standing committees are also in place to handle specific duties. Standing committees may include Minutes Committee, Credentials Review and Enforcement Committee, Continuing Education Committee, Rules and Regulations Committee, Applications Review Committee, Budget Committee, Liaison and Information Committee, and Special Assistance Committee. To assist the board in conducting its daily business transactions, the board hires an executive secretary and other personnel as needed. The board meets annually each October and must meet at least one additional time before the end of the year. Additional meetings may be called by the chair or by any two board members; four members constitute a quorum. An organizational chart is attached.

Agency Function and Subfunctions

The mandated function of the Alabama Board of Examiners for Speech-Language Pathology and Audiology is to examine and license persons seeking to practice speech-language pathology and/or audiology in Alabama. It is one of the agencies primarily involved in carrying out the Regulatory function of Alabama government.

In performance of its mandated function, the board may engage in the following subfunctions:

- **Promulgating Rules and Regulations.** The Code of Alabama 1975 § 34-28A-42(b) mandates the board to “adopt rules and regulations relating to professional conduct commensurate with the policy of the [enabling act], including, but not limited to, regulations which establish ethical standards of practice, and for other purposes, and may amend or repeal the same in accordance with the administrative procedures of this state.” Within the board, the Rules and Regulations Committee is organized to review existing rules/regulations and to develop all new rules/regulations subject to approval by the board. This subfunction encompasses the board’s efforts to promulgate all rules and regulations necessary for registration and supervision of applicants for licensure.
- **Licensing.** As mandated by the Code of Alabama 1975 § 34-28A-20 *et seq.*, the board examines, certifies, and licenses persons who plan to practice speech-language pathology and/or audiology in Alabama. A license may be granted in either speech-language pathology or audiology. Licenses in both speech-language pathology and audiology may be granted to an applicant if requested and qualified. With a few exemptions, all applicants for licensure must pay application fees and meet requirements in education, practicum, and written examination. All licensees must renew their licenses annually. Continuing education and renewal fees are required for renewal.

In addition, the board may authorize individuals with a bachelor’s degree in speech-language pathology or audiology to act as speech-language pathology and/or audiology assistants. To be registered as an assistant, the applicant must pay a registration fee and provide the board with evidence of academic training, clinical experience, and a detailed plan for the assistant indicating place of work, activities to be performed, and supervision to be provided by a licensed speech-language pathologist or audiologist. Like professional licensees, assistants must renew their registration with the board each year.

- **Enforcing.** The board has authority to investigate allegations of practices violating provisions of its rules/regulations and to effect any legal proceedings necessary for compliance. A board-appointed Credential Review and Enforcement Committee is charged with investigating and reporting to the board about its findings of complaints. If the board finds there is probable cause to take formal action on a complaint, the complaint may be resolved through informal or formal proceedings. Informal proceedings allow the board to settle a complaint between the two parties. Formal proceedings require the board to conduct a hearing before a final decision is reached. Anyone who is found to have violated the provisions governing the board through formal

or informal proceedings is subject to suspension, revocation, reprimand, or a fine not to exceed \$1,000 for each offense.

- **Administering Internal Operations.** A significant portion of the agency's work includes general administrative, financial, and personnel activities performed to support the programmatic areas of the agency.

Managing the Agency: Activities include internal office management work common to most government agencies such as corresponding and communicating; scheduling; meeting; documenting policy and procedures; reporting; litigating; drafting, promoting, or tracking legislation; publicizing and providing information; managing records; and managing information systems and technology.

Managing Finances: Activities include budgeting (preparing and reviewing a budget package, submitting the budget package to the state Finance Department; documenting amendments and performance of the budget); purchasing (requisitioning and purchasing supplies and equipment, receipting and invoicing for goods, and authorizing payment for products received); accounting for the expenditure, encumbrance, disbursement, and reconciliation of funds within the agency's budget through a uniform system of accounting and reporting; authorizing travel; contracting with companies or individuals; bidding for products and services; assisting in the audit process; investing; and issuing bonds.

Managing Human Resources: Activities involved in managing human resources may include the following: recruiting and hiring eligible individuals to fill vacant positions within the agency; providing compensation and benefits to employees; supervising employees (evaluating performance, disciplining, granting leave, and monitoring the accumulation of leave); and providing training and continuing education for employees.

Managing Properties, Facilities, and Resources: Activities involved in managing properties, facilities, and resources may include the following: inventorying and accounting for non-consumable property and reporting property information to the appropriate authority; constructing buildings and facilities; leasing and/or renting offices or facilities; providing for security and/or insurance for property; and assigning, inspecting, and maintaining agency property, including vehicles.

Analysis of Record Keeping System and Records Appraisal of the Alabama Board of Examiners for Speech-Language Pathology and Audiology

Agency Record Keeping System

The board currently operates a hybrid record keeping system composed of paper and electronic records. Staff members of the board utilize Microsoft Access to create and manage the licensure database. The board contracted with a private vendor for its website maintenance.

Records Appraisal

The following is a discussion of the two major categories of records created and/or maintained by the Alabama Board of Examiners for Speech-Language Pathology and Audiology: Temporary Records and Permanent Records.

I. Temporary Records. Temporary records should be held for what is considered to be their active life and disposed of once all fiscal, legal and administrative requirements have been met. Some of the temporary records created by the board are discussed below:

- **Licensure Files.** The board is responsible for examining and licensing applicants as either a speech-language pathologist or an audiologist. These files serve as evidence of the scope of a licensee's professional practice in this state. A typical licensure file documents the licensee's professional career in Alabama and may contain a completed licensure application form, examination records, renewal documents, professional and credit references, and complaint/investigative reports. To ensure the availability of this series for possible reference and legal use, the recommended retention for the file is four (4) years after the end of the fiscal year in which the license becomes inactive.
- **Clinical Fellowship Year/Fourth-Year Internship Registration Files.** Prior to licensure, applicants must fulfill a Clinical Fellowship Year (CFY) (speech-language pathology) or a Fourth-Year Internship (audiology) by working, under the supervision of a licensed speech- language pathologist or audiologist, for at least nine consecutive months for speech-language pathology, while the Fourth-Year Internship in audiology is required to have 1870 clinical hours. For consideration for the CFY or Fourth-Year Internship, the applicant must submit to the board a completed application, required fee, a notarized statement from the applicant's supervisor, and academic transcripts. Following approval of the CFY registration or Fourth- Year Registration, the board issues a certificate to the applicant authorizing the employment. This series should be kept for audit and reference purposes.

II. Permanent Records. The Government Records Division recommends the following records as permanent.

Promulgating Rules and Regulations

- **Meeting Agendas, Minutes, and Packets.** In accordance with the Code of Alabama 1975 § 34-28A-40(d), the board is obligated to meet annually each October and at least one additional time before the end of the year. The board selects a recording secretary every year, who works with the board's Minutes Committee, to follow the board's protocol in the preparation and distribution of meeting minutes. In addition to minutes, this series may include meeting agendas and other supporting or reference documents. These records are the best source of information about the functions of the board and the creation of its policy. **(Bibliographic Title: Meeting Minutes)**
- **Informational Publications.** These publications document the board's efforts in communicating with the public regarding the board's rules and regulations, purpose of licensure, licensure procedures, updated reports of the board and its committees, and other board related services/activities. Publications include, but are not limited to, the board's Rules and Regulations, brochures, flyers, and newsletters. **(Bibliographic Title: State Publications)**

Licensing

- **Annual Rosters of Licensees.** In accordance with the Alabama Administrative Code Chapter 870-X-1-.07(3), the board prints a roster of all current licensees annually in February of each year. Information on the roster includes names of licensees, addresses of licensees, and license numbers. **(Bibliographic Title: State Publications)**
- **Licensee Control Number File.** This series consists of binders listing essential information on licensees, such as license number, name of licensee, and date of licensure. The file is used by the board staff as an index system for the board's licensure files. **(Bibliographic Title: Licensee Control Number File)**

Enforcing

- **Complaint Logs.** The board creates and maintains a complaint log for reference and audit purposes. Information on the log includes names of both parties, dates, brief statements of the complaint, and resolutions. **(Bibliographic Title: Complaint Logs)**

Administering Internal Operations

- **Annual Reports.** In accordance with the Alabama Administrative Code Chapter 870-X-1-.07(5), the board compiles an annual report of the business conducted by the board in October of each year. Specific items in the report include reporting year; members and staff of the board; numbers, dates, and locations of board meetings; numbers of applicants reviewed and licensed; numbers of administrative/disciplinary hearings;

numbers of licenses suspended, pending, or impaired; numbers of complaints received and investigated; total money received and disbursed; money encumbered at the end of the fiscal year; and numbers of continuing education workshops and participants.

(Bibliographic Title: State Publications)

- **Website.** The board has a website at www.abespa.org. Information on the website includes board mission, board members and committees, rules and regulations, various forms, frequently asked questions, and other links. The disposition statement calls for retaining a “snapshot” of completed web site information annually or as often as significant changes are made to the site. **(Bibliographic Title: Website)**

Permanent Records List

Alabama Board of Examiners for Speech-Language Pathology and Audiology

Promulgating Rules and Regulations

1. Meeting Agendas, Minutes, and Packets
2. Informational Publications

Licensing

1. Annual Rosters of Licensees
2. Licensee Control Number File*

Enforcing

1. Complaint Logs*

Administering Internal Operations

1. Annual Reports
2. Website
3. Semiannual Inventory Lists*

*indicates records that ADAH anticipates will remain in the care and custody of the creating agency.

ADAH staff members are available to work with agency staff in determining the best location and storage conditions for the long-term care and maintenance of permanent records.

Alabama Board of Examiners for Speech-Language Pathology and Audiology Records Disposition Authority

This Records Disposition Authority (RDA) is issued by the State Records Commission under the authority granted by the Code of Alabama 1975 § 41-13-5 and § 41-13-20 through 21. It was compiled by the Government Records Division, Alabama Department of Archives and History (ADAH), which serves as the commission's staff, in cooperation with representatives of the Alabama Board of Examiners for Speech-Language Pathology and Audiology. The RDA lists records created and maintained by the Alabama Board of Examiners for Speech-Language Pathology and Audiology in carrying out its mandated functions and activities. It establishes retention periods and disposition instructions for those records and provides the legal authority for the agency to implement records destruction.

Alabama law requires public officials to create and maintain records that document the business of their offices. These records must be protected from "mutilation, loss, or destruction," so that they may be transferred to an official's successor in office and made available to members of the public. Records must also be kept in accordance with auditing standards approved by the Examiners of Public Accounts (Code of Alabama 1975 § 36-12-2, § 36-12-4, and § 41-5-23). For assistance in implementing this RDA, or for advice on records disposition or other records management concerns, contact the ADAH Government Records Division at (334) 242-4452.

Explanation of Records Requirements

- This RDA supersedes any previous records disposition schedules governing the retention of the Alabama Board of Examiners for Speech-Language Pathology and Audiology. Copies of superseded schedules are no longer valid and may not be used for records disposition.
- The RDA establishes retention and disposition instructions for records listed below, regardless of the medium on which those records may be kept. Electronic mail, for example, is a communications tool that may record permanent or temporary information. As for records in any other format, the retention periods for e-mail records are governed by the requirements of the subfunctions to which the records belong.
- Certain records and records-related materials need not be retained as records under the disposition requirements in this RDA. Such materials include: (1) duplicate record copies that do not require official action, so long as the creating office maintains the original record for the period required; (2) catalogs, trade journals, and other publications received that require no action and do not document government activities; (3) stocks of blank stationery, blank forms, or other surplus materials that are not subject to audit and have become obsolete; (4) transitory records, which are temporary records created for short-term, internal purposes that may include, but are not limited to: telephone call-back messages; drafts of ordinary documents not needed for their evidential value; copies of material sent for information purposes but not needed by the receiving office for future business; and internal communications about social activities; and (5) honorary materials,

plaques, awards, presentations, certificates, and gifts received or maintained by the agency staff.. They may be disposed of without documentation of destruction.

Records Disposition Requirements

This section of the RDA is arranged by subfunctions of the Alabama Board of Examiners for Speech-Language Pathology and Audiology and lists the groups of records created and/or maintained by the board as a result of activities and transactions performed in carrying out these subfunctions. The board may submit requests to revise specific records disposition requirements to the State Records Commission for consideration at its regular quarterly meetings.

Promulgating Rules and Regulations

MEETING AGENDAS, MINUTES, AND PACKETS

Disposition: PERMANENT RECORD.

INFORMATIONAL PUBLICATIONS

Disposition: PERMANENT RECORD.

Administrative Rules Files

Disposition: Temporary Record. Retain for useful life.

REGISTER OF ADMINISTRATIVE RULES

Disposition: PERMANENT RECORD. Retain in office (Code of Alabama 1975 § 41-22-6).

Board Appointment Files

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the term expires.

Board Meeting Notices

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Printouts of Acknowledgment from the Secretary of State Relating to Notices of Meetings Posted by State Agencies

Disposition: Temporary Record. Retain 3 years.

Licensing

ANNUAL ROSTERS OF LICENSEES

Disposition: PERMANENT RECORD.

LICENSEE CONTROL NUMBER FILE

Disposition: PERMANENT RECORD. Retain in office.

Applications Not Resulting in Licensure

Disposition: Temporary Record. Retain 1 year.

Licensure Files

Disposition: Temporary Record. Retain 4 years after the end of the fiscal year in which the license becomes inactive.

National Examination Score Files

Disposition: Temporary Record. Retain 10 years.

Assistant Registration Files

Disposition: Temporary Record. Retain 4 years after the end of the fiscal year in which the registration becomes inactive.

Clinical Fellowship Year (CFY)/Fourth-Year Internship Registration Files

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Licensure Database

Disposition: Temporary Record. Retain until superseded or obsolete.

Enforcing**COMPLAINT LOGS**

Disposition: PERMANENT RECORD. Retain in office.

Licensee Disciplinary Files

- a. Files of Founded Complaints

Disposition: Temporary Record. Retain 4 years after licensee becomes inactive.

- b. Files of Unfounded Complaints

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Investigation Files of Complaints Against Non-Licensed Individuals

Disposition: Temporary Record. Retain 4 years after the case is resolved.

Administering Internal Operations: Managing the Agency**ANNUAL REPORTS**

Disposition: PERMANENT RECORD.

WEBSITE

Disposition: PERMANENT RECORD. Preserve a complete copy of website annually or as often as significant changes are made.

Sunset Committee Review Files

Disposition: Temporary Record. Retain until completion of subsequent sunset review.

Requests for Information

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Routine Correspondence

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Mailing Lists

Disposition: Temporary Record. Retain for useful life.

Administrative Reference Files

Disposition: Temporary Record. Retain for useful life.

Records documenting the implementation of the agency's approved RDA (copies of transmittals forms to Archives or State Records Center, evidence of obsolete records destroyed, and annual reports to State Records Commission)

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Copies of Approved RDA

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the RDA is superseded.

System Documentation (hardware/software manuals and diskettes, warranties)

Disposition: Temporary Record. Retain documentation of former system 3 years after the end of the fiscal year in which the former hardware and software no longer exists anywhere in the agency and all permanent records have been migrated to a new system.

Administering Internal Operations: Managing Finances**Records documenting the preparation of a budget request package and reporting of the status of funds, requesting amendments of allotments, and reporting program performance**

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records documenting the requisitioning and purchasing of supplies and equipment, receipting and invoicing for goods, and authorizing payment for products

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records of original entry or routine accounting transactions, such as journals, registers, and ledgers, and records of funds deposited outside the state treasury

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records documenting requests for authorization from supervisors to travel on official business and other related materials, such as travel reimbursement forms and itineraries

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records documenting contracts for services or personal property

Disposition: Temporary Record. Retain 6 years after expiration of the contract.

Records documenting the bid process, including requests for proposals and unsuccessful responses

- a. Original Bid Records Maintained in the Purchasing Office of the Agency for Contracts over \$7500
Disposition: Temporary Record. Retain 7 years after the end of the fiscal year in which the bids were opened.
- b. Duplicate copies of bid (where originals are maintained by the Finance Department - Division of Purchasing)
Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the bids were opened.

Agency Audit Reports

Disposition: Temporary Record. Retain 6 years after end of the fiscal year in which the records were created.

Administering Internal Operations: Managing Human Resources

Job Recruitment and Application Materials

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the term expires.

Records documenting payroll (e.g. pre-payroll reports, payroll check registers)

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records documenting payroll deduction authorizations

Disposition: Temporary Record. Retain 6 years after separation of the employee from the agency.

Records documenting payroll deductions for tax purposes (including Form 941)

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records documenting an employee's work history - generally maintained as a case file

- a. Merit System Employee(s)
Disposition: Temporary Record. Retain 6 years after separation of employee from the agency.
- b. Non-Merit System Employee(s)
Disposition: Temporary Record. Retain 25 years after separation of employee from the agency.

Records documenting an employee's hours worked, leave earned, and leave taken (including time sheets)

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records documenting an employee's work history, generally maintained as a case file

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Administering Internal Operations: Managing Properties, Facilities, and Resources

SEMIANNUAL INVENTORY LISTS

Disposition: PERMANENT RECORD. Retain in office (Code of Alabama 1975 § 36-16-8[1]).

Agency Copies of Transfer of State Property Forms

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Property Inventory Cards and/or Computer Files

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the items were removed from inventory.

Receipts of Responsibility for Property

Disposition: Temporary Record. Retain until return of item to property manager.

Records documenting the lease or rental of office or warehouse space for the department

Disposition: Temporary Record. Retain 6 years after expiration of the lease.

Requirement and Recommendations for Implementing the Records Disposition Authority (RDA)

Under the Code of Alabama 1975 § 41-13-21, “no state officer or agency head shall cause any state record to be destroyed or otherwise disposed of without first obtaining approval of the State Records Commission.” This Records Disposition Authority constitutes authorization by the State Records Commission for the disposition of the records of the Alabama Board of Examiners for Speech-Language Pathology and Audiology (hereafter referred to as the agency) as stipulated in this document.

One condition of this authorization is that the agency submit an annual Records Disposition Authority (RDA) Implementation Report on agency records management activities, including documentation of records destruction, to the State Records Commission in October of each year. In addition, the agency should make every effort to establish and maintain a quality record-keeping program through the following activities:

- The agency should designate a records liaison, who is responsible for: ensuring the development of quality record keeping systems that meet the business and legal needs of the agency, coordinating the transfer and destruction of records, ensuring that permanent records held on alternative storage media (such as microforms and digital imaging systems) are maintained in compliance with national and state standards, and ensuring the regular implementation of the agency’s approved RDA.
- Permanent records in the agency’s custody should be maintained under proper intellectual control and in an environment that will ensure their physical order and preservation.
- Destruction of temporary records, as authorized in this RDA, should occur agency-wide on a regular basis—for example, after the successful completion of an audit, at the end of an administration, or at the end of a fiscal year. Despite the RDA’s provisions, no record should be destroyed that is necessary to comply with requirements of the state Sunset Act, audit requirements, or any legal notice or subpoena.
- The agency should maintain full documentation of any computerized record-keeping system it employs. It should develop procedures for: (1) backing up all permanent records held in electronic format; (2) storing a back-up copy off-site; and (3) migrating all permanent records when the system is upgraded or replaced. If the agency chooses to maintain permanent records solely in electronic format, it is committed to funding any system upgrades and migration strategies necessary to ensure the records’ permanent preservation and accessibility.

The staff of the State Records Commission or the Examiners of Public Accounts may examine the condition of the permanent records maintained in the custody of the agency and inspect records destruction documentation. Government Records Division archivists are available to instruct the agency staff in RDA implementation and otherwise assist the agency in implementing its records management program.

The State Records Commission adopted this Records Disposition Authority on October 25, 2006.

Edwin C. Bridges, Chairman, by Tracey Berezansky
State Records Commission

Date

Receipt acknowledged:

Wanda C. Rawlinson, Executive Secretary
Alabama Board of Examiners for
Speech-Language Pathology and Audiology

Date